

# HO SOL IS CONVICTED

## Directed Verdict On Burned Note.

(From Sunday's Advertiser)

Ho Sol was found guilty of receiving stolen goods by the jury's verdict rendered at 5:15 yesterday afternoon, after deliberation of about twenty minutes. Mr. Cathcart noted exceptions and gave notice of motion for a new trial.

Most of the second day of the trial was taken up with the evidence of the defendant. He represented that a young man, one of the gang now in prison for the robbery of Pacheco's store, came to him with a story about his father's distress for money. The lad said his father had some goods to sell and the defendant agreed to buy them. In the morning, about 7:30 o'clock, he found a heap of merchandise on his veranda. His previous visitor arrived later and was paid \$10.25. Ho Sol taking his receipt for the money.

Cross-examined by Deputy Attorney General Prosser, the defendant said he knew only one lad in the transaction, but when asked later how it was the carrying of so much goods upon his veranda did not disturb him he answered, "That was not much for two or three men."

A peculiarity of the receipted bill pointed out by Mr. Prosser was that it was dated March 28, whereas the date of the robbery was February 28. There also appeared to have been something written and erased under the signature of Albert Fieger, the thieves' cashier. These marks were apparent to Judge Gear on examination of the paper. Mr. Cathcart objected to both the prosecuting attorney's and the court's expounding of the paper, but his objections were overruled.

Heface Crabbe and Farm Cornn were called for the defense to prove Ho Sol's good character, but their testimony was struck out on the ground that it did not refer to the time of the alleged offense.

Cecil Brown's suit against Kate Braymer on a note for \$350 was tried by Judge Robinson yesterday, ending in a directed verdict for the plaintiff. Early in the proceedings the Henry Waterhouse Trust Co., sued as garnishee, was discharged. The plaintiff appeared in person with W. Austin Whiting as associate counsel, and Geo. A. Davis for the defendant. Exceptions were profuse from beginning to end, and several incidents enhanced the interest of a case peculiar in itself.

An allegation of the complaint was that the note had been destroyed by fire. Kanaui, an old Hawaiian who had been employed as janitor of Cecil Brown's office for ten years, told on the witness stand about his bagging of rubbish there and having it burned in the furnace of the Honolulu Planning Mill. Not content with what he got in the office sweepings one day, he raked papers off a table into the rubbish bag and consigned them to the flames. By the evidence of Mr. Brown, George L. Bigelow and Frank M. Fernandez it was sought to prove that the note in question was in an envelope among the papers swept into the old man's rubbish bag from the table.

When two or three jurors had been excused for cause, the last being Patrick Ryan, the panel was exhausted. Ryan had been excused on the objection of Attorney Davis that he had held business relations with the plaintiff.

Mr. Davis objected to the summoning of talesmen, whereupon Mr. Brown made a statement that no money was owing between Juror Ryan and himself. The court then vacated the order excusing Ryan and he was called back to the jury box. Mr. Davis objected to the juror but his challenges were exhausted and his objection was overruled.

Under exceptions of the defendant the following jury was sworn to try the case: Norman Watkins, Sam, M. Kanakau, Wm. F. Erving, Hiram Kana, Louis C. King, J. J. Sullivan, Jas. Armstrong, H. P. Benson, Charles P. Osborne, Arthur L. Soule, Harry A. Wilder, Patrick Ryan.

When the plaintiff rested just before noon Mr. Davis stated that he would after recess move for a nonsuit. He had previously asked for time to prepare instructions for the jury and asked for a recess until 2 o'clock. Not only had he to prepare the papers but he must eat.

"I don't know whether your Honor is a heavy eater or not," Mr. Davis pleaded, "but I take for breakfast but a cup of tea, a piece of bread and perhaps half an egg, and I want my lunch in the middle of the day."

Apparently Mr. Davis spent more time at the lunch table than at his desk, for he came into court at 2 o'clock without written instructions on behalf of the defendant. He moved for a nonsuit, which was denied. In lieu of written instructions he was allowed by the court to state his points to the jury.

When both sides had argued, Judge Robinson directed the jury to return a verdict for the plaintiff. Exceptions were noted by the defendant.

### CHILD ADOPTED.

Judge De Bolt yesterday afternoon granted a decree of adoption, whereby James K. Wright adopted with full legal effect a child named William Wright, a male child born to William Albert Thompson and Grace Thompson in Honolulu on May 8, 1904. The parents signed the petition with the adopting father and in court solemnly signed their voluntary consent to the adoption. J. L. Kaulikou appeared for petitioners.

### DYNAMITE PLOT RECALLED.

L. C. Camacho's suit for \$500 damages against Arthur M. Brown, High Sheriff, was dismissed by Judge De Bolt yesterday on the ground that the statute of limitations had run against the suit. The plaintiff appeared in person and made a statement which was taken down by the stenographer. George A. Davis appeared for the High Sheriff and raised the point on which the case was dismissed. An exception was noted for the plaintiff by direction of the court, so as to give him an appeal to the Supreme Court if he choose.

Summons was served on November 15, 1902, returnable at the next February term. Camacho's complaint was in substance as follows: On May 15, 1900, in the Honolulu District Court, he was found guilty, under the name of L. C. Camacho, of "intending to commit an offense against the person of A. de Canavara," as the complaint reads, and for having within six months previous "induced said A. de Canavara to believe that this plaintiff intended to kill him." He was ordered by the District Court to give a bond of \$2500, with sufficient sureties, "to keep the peace towards the person of said A. de Canavara for the term of one year and in default thereof to be imprisoned" until the bond was executed. Being unable to give the bond he was imprisoned from May 15, 1900, to May 15, 1901. On May 26, 1900, he declares in his complaint, D. K. Puhul, while acting as an agent and employee of the defendant, "negligently, unnecessarily, violently and without cause or provocation, committed an assault and battery upon this plaintiff and then and there violently twisted and lamed the right arm of plaintiff, and violently struck this plaintiff in the neck and face, and violently threw this plaintiff against a bunk, so that one of plaintiff's ribs was broken, and another rib was displaced, and other grievous injuries suffered by plaintiff, and that plaintiff endured great suffering and anguish therefrom, to plaintiff's injury and damage in the sum of five thousand dollars."

The case recalls a conspiracy against the Portuguese consul, Senor A. de Souza Canavara, which succeeded to the extent of shattering a portion of his dwelling with dynamite early one morning. Camacho was charged with having made threats against the consul, whose name is incorrectly spelled in Camacho's complaint, Fitch & Hight were the attorneys for plaintiff in bringing the damage suit.

### FITCH'S BIG SLICE.

Judge Gear, in sustaining the demurrer to the petition of M. A. Goncalves in the matter of the estate of Jose da Silva, shows that Thomas Fitch, attorney for the estate in fact of the widow, paid himself \$534.95 out of \$973.52 he received for his client. The petition thus dismissed was for an order to Antonio da Aguiar da Paulo, attorney in fact of the widow Antonia da Silva, to show cause why he should not deliver the money and property in his hands to the widow. Judge Gear relates that, at a previous stage of the case, he ordered the money that he believed improperly paid out to be paid into court, but that the Supreme Court found he had not power to make such an order in probate proceedings. In conclusion he says:

"It seems to me that the court has no power now to order in these probate proceedings that da Paulo turn over the property, or what he has left of it, to those whom he noted as attorney-in-fact for, for his action was theirs in so far as these proceedings are concerned. If an action for an accounting should be brought against him he might be made to account for the property, but no such order can be made in this probate proceeding."

"The court has gone into this matter at great length, but it has done so in order that the exact status of the estate might be clear, and this is done more particularly as the claimants are resident of Demerara, Guyana, and have communicated with the Consul here, who has asked the status of the case."

A. A. Douthitt for the motion; C. W. Ashford for da Paulo.

### DIVORCE SUITS.

Most of yesterday before Judge De Bolt was occupied with the trial of the divorce case of Esther P. Juen against Harry A. Juen, the grounds alleged being non-support, extreme cruelty and unlawful appropriation of property. The trial will be resumed on Monday.

Hoolihui Hao was granted a divorce from Joe Hao for failure to provide by Judge Gear, who ordered the libellant to pay the libellant \$20 a month alimony besides costs of court. Frank Andrade appeared for Mrs. Hao.

### COURT NOTES.

Judge Robinson appointed C. K. Quinn administrator of the estate of Kaulana (w.), deceased, under \$500 bond. This was on the petition of Panny Strauch, claiming to be interested as assignee of certain heirs at law.

Cecil Brown, trustee, had discontinued his assumpsit suit against Joseph Fernandez and W. C. Achi.

In the suit of John A. Cummins vs. J. O. Carter, trustee and others, it is stipulated that Matilda Walker Constable, Jane Moraberg, May C. Kibling and Thomas P. Cummins, defendants, shall have ten days from September 15 in which to plead, answer or demur to the complaint.

See Young's damage suit against Bishop & Co., for alleged malicious prosecution for passing counterfeit money, was discontinued before Judge Robinson. A. A. Correa appeared for plaintiff and A. A. Wilder for defendant.

### SOUTH AFRICAN CARPENTER

THIRD BY CHAMBERLAIN'S CURE. CHOLERA AND DIARRHOEA REMEDY—Mr. Geo. Taylor, a carpenter at Port Elizabeth, Cape Colony, had a very bad attack of cholera and diarrhoea, says: "I was so ill I had to go to bed, when a friend told me that he had a box of Chamberlain's Colic, Cholera and Diarrhoea Remedy and I got better at once. I am now completely cured. I am so well that I can go to work. This remedy cured me of all troubles and brought me back to health." Agents for Hawaii.

## THE NEW METHODIST PASTOR AND HIS FIELD OF LABOR



REV. JOHN W. WADMAN.

Rev. John W. Wadman, recently appointed to the superintendency of the Hawaiian Mission of the M. E. Church, arrived by the "Sierra," as previously announced in these columns and has taken up his residence in the parsonage of the Methodist Church, corner of Miller and Beretania streets. Mr. Wadman is accompanied by his eldest daughter who has just completed her seminary course in the Women's College of Baltimore, Md. Mrs. Wadman will remain for a short time on the mainland for the education of his other children, all of whom will, in the near future, make their home in Honolulu.

The Board of Missions of the M. E. Church has felt the need for some time of increasing and extending the interests of their work here among the Japanese and Koreans, and at the General Conference in its recent session at Los Angeles it was decided to organize this work into a separate mission and appoint a superintendent in full charge. The purpose is to develop the work more thoroughly, appoint several missionaries, raise up a band of native helpers, open schools, build small chapels and place the mission as soon as possible upon a self-supporting basis. Mr. Wadman has spent fifteen years in Japan, giving himself fully to the study of the people, their customs and language. He has

taught in their schools and preached in their towns and villages. For several years he has dwelt in the interior of the country, being the only white man for miles around, but has latterly resided in Yokohama in charge of the mission interests there and in Tokyo.

Previous to his missionary career, he spent ten or twelve years as a pastor in his native land and served two or three important city appointments. He thus enters upon his new duties here with considerable experience and hopes to make the work a success.

Rev. G. L. Pearson, who for several years so effectively cared for these mission interests in connection with his pastorate of the (English) M. E. Church, is now attending the annual meeting of the California Conference and will be appointed, it is expected, to some San Francisco church. This same conference will arrange for a man to come as his successor here. This may take some few weeks to find a suitable person for this important place and fully adjust matters but in the meanwhile Mr. Wadman will supply the pulpit of the English church, preaching morning and evening at the usual hours, beginning with the services on the morrow. The church is located on Beretania street, nearly opposite the Central Union church and all are most cordially invited to attend.

## MORRIS KEOHOKALOLE SUPPORTED BY CHARITY

Following is an English translation of a letter written by Morris Keohokalole to his wife, appearing in the current number of the Aloha Aina. That paper also contains Mrs. Keohokalole's explicit denial of the truth of Delegate Kuhio's statement, made on Hawaii, that he had supplied her with money:

Washington, D.C., July 21, 1904. My dearest wife: Misfortunes have made me unable to write and inform you of my predicament which you note by my address. I have not left it though I had told you to write me to Frisco. Such was a human being's proposition but the great Disposer of things will do otherwise.

After leaving the house (Cupid's) or fired out, I immediately engaged me a room at 1717 DeSales St. where Mr. Semmes was living and there waited for my March money balance. Kuhio had paid me a check of \$60.00 for money loaned to Mr. Clark when I immediately told the servant girl that I wanted to speak again to the Prince, for the March money to enable me to get a ticket, as the rates there, after April 1st, had become the usual non-reduced tickets, purchased at first class, about \$97.00, second class, \$82.00, but I waited in vain. The early part of came right after pay-day. I made another attempt to speak to him, and with the same result. In the meantime my fund was dwindling down by my doctor's bill of \$21.00 first, and then rent and a few necessary things practically broke me at the beginning of June. Matters got from bad to worse. Mr. Semmes having left for New Orleans, his home, in May, went and asked Mr. Haywood and Mr. Armstrong to lend me money enough to get to Frisco, but they practically told me, I was able-bodied which meant to get work for money, that would be manual labor. During this month I had to dispose of a lot of clothes for almost nothing to keep me fed and sleep two

new suits and other clothes I brought. My last attempts were to Governor Carter while in Chicago, and I suspect, he purposely avoided to reply, and to Mr. Coke, recently at the St. Louis Democratic Convention, and he may not have received it there, for I had no money to buy a newspaper previous or at his arrival at St. Louis, which I learned of it accidentally picking up a newspaper in the park. Yesterday I asked Mr. Glascoff of the Associated Charities for some postage stamps which he kindly gave me three and availed this my first opportunity to write you and also to Mr. H. C. Ellis for money and he might be busted, yet I hope not.

I have been under weather during the greater portion of June with rheumatism and blues and for many a day been despondent, but still had plenty of courage to fight it off and was around trying, to get a little work to get something to eat, but it was very hard. Once I was without food for about 24 hours and several times 12 to 24 hours. Sleeping was out/doors all that time wherever it may be safe from the police, but, one night went along with two others, were arrested for being a vagrant while asleep next morning and taken to the station house and then to the court house on the Black Maria (a wagon that prisoners at the different stations are taken in to the court house). Was released upon my explanation for having written for funds and would go home when received. Since then have been with or under the care of the Associated Charities until I either get something to do here or other relief. How is my land matter? If satisfactory to Kalaui reserve lot occupied by church building and for house lot. I will sign deed upon return, no money to make out power of attorney—let him give you money or portion of it. There is rent due set on that land. My paper is getting to the end.

MORRIS.

## FOREIGN LABOR TURNS BACK FROM MEXICAN EMPLOY

Portuguese of Hawaii, who are urged to go to Mexico, will be interested in the following article from the Japan Times.

By the steamer Akabono Maru 401 of the Japanese immigrants who on June 1st last left Kure for Mexico, on the Akabono Maru, returned to Yokohama on the 17th inst., the remaining 400 being sent back to their homes by rail.

With reference to the above affair, the following telegram dated August 21 from Mr. Sugimura Japanese Minister to Mexico, has been received at the Foreign Office: "Our immigrants, 500 in number, have refused to engage in the work contracted for and have even gone so far as to create a disturbance. Four hundred and fifty of the men have therefore been sent back home by the steamer Akabono Maru. The remaining 50 have decided to stay in Mexico, but 10 of them are reported to be missing."

An interview between Mr. Kotaro Sakuma, president of the Toyo Immi Kaisha (Oriental Emigration Company), and a denotation of the emigrants recently sent back from Mexico, reported in these columns a few days ago, took place on the morning of the 31st inst., in the presence of a number of press representatives. Mr. Gunji Hamada, on behalf of the emigrants, enumerated ten causes for complaint, the principal of which were (1), that in the vicinity of the mine where the emigrants were employed, the thermometer always registered 125 degrees F. in the shade; (2) that the ores were not only yielding but were so hot that any contact with them meant an immediate burn; (3) that the bad ventilation rendered temperature within the pit unbearable for the Japanese, etc. All these complaints were, however, refuted as groundless by Mr. Sakuma and the interview ended in failure. It is feared that the present affair may possibly lead to a law suit.

Frenchmen, who had engaged the Japanese as miners at the wage of one dollar and fifty cents (50 cents) per head per day. Owing to the intolerable heat and to the existence of gas in the mine, the Japanese found it impossible to work. Finally, 401 of the men were sent back to the Akabono Maru, which left Santa Rosalia on July 29 for home, the others having decided to remain behind and find employment. On receipt of the news of the arrival at Yokohama, the Toyo Emigration Company which had originally dispatched the men to Mexico, at once gave instructions that they were not to be landed at Yokohama, and that the vessel should be sent to Kobe. Owing, however, to a demonstration on the part of the emigrants, they were allowed to land at Yokohama on the evening of the 28th inst., returning to their respective homes by rail.

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## FRANK DAVEY IS NOW IN SAN JOSE

The San Jose Mercury devotes a page to Frank Davey, who has formed a photographic partnership there. It prints cuts of photographs he has made of eminent men and women and of Hawaiian scenes. Some of the reading matter is as follows:

There has lately been added to our local list of artist-photographers a name with almost a world wide reputation, that of Mr. Frank Davey, who has become associated with our own Andrew P. Hill.

Mr. Davey is by birth an Englishman, his native place being London, where he was born February 27, 1869. He was educated as an artist in his native city, under the able instruction of his father, William Turner Davey, a member of the Royal Academy and one of the best known historical engravers of London. In 1889 Mr. Davey left England for the continent, and was associated with Watery of Paris. Later he came to New York, where he was with Sarony, and then on to California, where he was ten years with Taber. From California he went to Japan, China and other points of the Orient, where he gathered valuable experience, and met, in his professional capacity, most of the notables of those places. He was in Hawaii for seven years, where he became familiar with the leading points and people of that paradise of the Pacific. Recently he returned to California, and formed the present business association in San Jose.

### DAVEY'S ARTISTIC STANDING.

As an artist-photographer Mr. Davey has few equals and no superior. This work is the passion of his life, and into it he has put all his marvelous energy and enthusiasm. Constant experiment and improvement in his work have marked his professional career. While with the Taber company he invented and improved various processes that have been in great demand; and originated the Iridian process, which has been successfully used for some years.

Undoubtedly, no other one photographer in the world has taken such a wide variety of scenic views, or of people. All parts of the world have yielded their attractions to his camera, almost all the famous men and women of the times have sat for him.

He has autographic photographs of great men and women from all parts of the world and in every profession and walk of life.

## DYNAMITE USED IN ATTEMPT TO KILL

Deputy Sheriff Lane of Kona district, Oahu, reports to headquarters an attempt to assassinate a family on Sunday night in his district, dynamite being used. The house of a native named Huielo in Kaaawa was selected by the criminal. On Sunday evening, Huielo, his wife and four children were in the house when a violent explosion in close proximity started them. Members of the family were thrown to the floor, a window was shattered and boards in the side of the house parted.

Investigation showed a deep hole near the house and it was apparent that dynamite had been dropped there. It is presumed that the assassin intended placing the dynamite under the house but was frightened off and left it to explode nearby.

A Portuguese named Lubine was taken into custody by Lane to await the result of the investigation. Lubine has had several quarrels with Huielo and was sent to have detained at \$5 him.

## WHAT ROME THINKS

### THE POPE'S PHYSICIAN ENDORSES AN AMERICAN REMEDY.

Dr. Lapponi Uses Dr. Williams' Pink Pills In His Practice Because Results Meet His Expectations.

Dr. Lapponi, the famous physician to the Vatican, whose name has recently come so greatly to the front on account of his unremitting attention to His Holiness, the late Pope Leo XIII, and the high esteem and confidence with which he is regarded by the present Pope, His Holiness Pius X, is more than a mere man of science. He is a man of original and independent mind, untrammelled by the "etiquette" of the medical profession and having used Dr. Williams' Pink Pills for Pale People in his practice with good results, he freely avows the facts and endorses the value of this remedy with an authority which no one will venture to question.

### DR. LAPPONI'S LETTER.

"I certify that I have used Dr. Williams' Pink Pills in four cases of the simple anaemia of development. After a few weeks of treatment, the result came fully up to my expectations. For that reason I shall not fail in the future to extend the use of this laudable preparation not only in the treatment of other forms of the category of anaemia or chlorosis, but also in cases of neurasthenia and the like." (Signed) Giuseppe Lapponi, Via del Gracchi 332, Rome.

The "simple anaemia of development," referred to by Dr. Lapponi, is, of course, that tired, languid condition of young girls, whose development to womanhood is tardy and whose health, at this period, is so often imperiled. His opinion of the value of Dr. Williams' Pink Pills for Pale People at that time is of the highest scientific authority, and it confirms the many published cases in which anaemia and other diseases of the blood, as well as nervous diseases such as nervous prostration, neuralgia, St. Vitus' dance, paralysis and locomotor ataxia, have been cured by these pills. They are commended to the public for their efficiency in making new blood and strengthening weak nerves. After such an endorsement they will be accepted by the medical and scientific world at their full value.

## THIS YEAR'S SUGAR CROP FOR HAWAII

The leaf hopper has worked overtime on this island but the plantations have made sugar in spite of the adverse conditions caused solely by that pest. The greatest amount of damage was done to the cane of the Hawaiian Agricultural Company and though the season's crop is less than half of what it was last year it will be still less next season, for the greatest damage was done to the 1903-4 crop. There are other plantations that did a little better than the estimates and some others that did worse. Oloa fell about five thousand tons short. With the enemy to the leaf hopper found, the crop in 1906 on this island should be very large. Following is the output of all the plantations that could be reached yesterday:

Hutchinson .....	5,500
Hawaiian Agricultural Co. ....	3,500
Oloa .....	17,000
Waialeale .....	6,150
Hawaii Mill Co. ....	1,904
Onomea Sugar Co. ....	10,940
Hilo Sugar Co. (Waialeale) ....	7,750
Honolulu .....	5,490
Pepee Sugar Co. ....	4,907
Hakalau .....	8,500
Lanipahoehoe .....	4,326
Ookala .....	2,213
Pauahau .....	7,520
Honokaa .....	6,600
Fanulio .....	4,590
Kukui .....	2,549
Kukuihaele .....	.....
Hala .....	756
Hawai .....	4,900
Nail .....	1,188
Union Mill .....	.....

—Hawaii Herald.

## GREAT SUBWAY A DEATH TRAP

NEW YORK, Sept. 5.—The reports that the subway is fireproof and that there is no danger of a repetition of the Paris catastrophe, where scores were killed, were shattered tonight, when smoke poured in such dense volumes from the station at Lenox avenue and One Hundred and Twenty-fifth street that the firemen were unable to enter the tunnel. A section of the subway was so full of smoke that the firemen said that if there had been a train there, the passengers would have been in danger of suffocation. The fire started in the waiting-room and spread so quickly that the entire room was burning before the blaze was discovered. The room was practically destroyed. The police, after the fire was put out, were asked to investigate a report that the fire was of incendiary origin.

### James Denton's Illness.

Dr. A. G. Hodgins returned in the Klaka from his visit by special steamer to James Denton, the veteran planter at Kilauea. The patient is suffering with a cancerous growth in the breast, and though there is little hope of a recovery he may hold out for quite a time. Dr. Hodgins left Dr. Denton in about the same condition as he found him in. Manager Geo. P. Denton of Kilauea plantation, one of the ablest men, familiar with the phases of life.